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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA
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9 Jonathan Andrew Arias,
10 Petitioner,
11 vs.
12 David Shinn, et al.,
13 Respondents.

No. CV-15-01236-PHX-GMS (MHB)

ORDER

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15 Pending before the Court is the Report and Recommendation (“R&R”) of
16 Magistrate Judge Michelle H. Burns (Doc. 65) regarding Petitioner’s Motion for Relief
17 from Judgment Under Rule 60(b) of the Federal Rules of Civil Procedure (Doc. 61). The
18 R&R recommends that the Motion be granted. The Magistrate Judge advised the parties
19 that they had fourteen days to file objections to the R&R. (R&R at 4 (citing 28 U.S.C. §
20 636(b)(1). No objections were filed.

21 Notwithstanding the absence of an objection, the court has reviewed the R&R and
22 finds that it is well taken. The Court will accept the R&R and grant Petitioner’s Motion
23 for Relief from Judgment Under Rule 60(b) of the Federal Rules of Civil Procedure (Doc.
24 61).

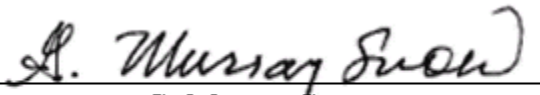
25 **IT IS HEREBY ORDERED** that Report and Recommendation of the Magistrate
26 Judge (Doc. 65) is accepted.

27 **IT IS FURTHER ORDERED** granting Petitioner’s Motion for Relief from
28 Judgment Under Rule 60(b) of the Federal Rules of Civil Procedure (Doc. 61).

1 **IT IS FURTHER ORDERED** that Respondents may file a motion for
2 reconsideration of the Magistrate Judge's Report and Recommendation, (Doc. 40), based
3 solely upon the issue of whether the U.S. Supreme Court's decision in *Jones v. Mississippi*,
4 141 S.Ct. 1307 (2021) would affect that Report and Recommendation.

5 **IT IS FURTHER ORDERED** referring any motion for reconsideration filed by
6 Respondents to U. S. Magistrate Judge Michelle H. Burns for consideration of whether to
7 issue an amended Report and Recommendation.

8 Dated this 15th day of February, 2022.

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11 G. Murray Snow
12 Chief United States District Judge
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